

**AMENDMENT TO COMMITTEE PRINT
OF SUBTITLE D
(COMMUNICATIONS RECONCILIATION PROPOSAL)
OFFERED BY MR. DINGELL OF MICHIGAN
[spectrum auction authority]**

Page 3, strike lines 16 through 24 and insert the following:

1 **(b) COMMISSION AUTHORITY TO MAKE ADDITIONAL**
2 **SPECTRUM AVAILABLE.—**
3 **(1) IN GENERAL.—**The Federal Communica-
4 **tions Commission is authorized to assign by competi-**
5 **tive bidding pursuant to section 309(j) of the Com-**
6 **munications Act of 1934 (47 U.S.C. 309(j)) licenses**
7 **for the use of bands of frequencies that-**

Page 4, line 8, after the semicolon insert “and”.

Page 4, line 23, strike “; and” and insert a period.

Page 4, strike line 24 and all that follows through page 5, line 4.

Page 10, strike lines 14 through 24 and insert the following:

1 “(A) CLARIFICATION OF COMMISSION AU-
2 THORITY TO LIMIT TERMS OF TERRESTRIAL
3 TELEVISION BROADCAST LICENSES.—In order
4 to achieve a transition to digital broadcasting
5 consistent with the purposes of this Act, the
6 Commission has the authority under this Act
7 not to renew a television license that authorize8
8 analog television services that extends later
9 than December 31, 2006. The Commission is
10 authorized to extend this target date, consistent
11 with the purposes of this Act.

Page 11, line 6, strike “pursuant to” and insert “as described in”.

Page 11, strike “The Commission” on line 13 and all that follows through line 17.

Page 13, strike line 21 and insert the following.

12 in accordance with the conditions specified in section
13 3304 of this Act.

Page 17, after line 19, insert the following new section:

1 **SEC. 3304. CONDITIONS ON SPECTRUM AUCTIONS.**

2 Notwithstanding any authority or requirement in this
3 subtitle, or any amendment made by this subtitle, to con-
4 duct competitive bidding under section 309(j) of the Com-
5 munications Act of 1934 (47 U.S.C. 309(j)), as a condi-
6 tion of conducting such bidding so authorized or required,
7 the Federal Communications Commission shall—

8 (1) make a determination that such competitive
9 bidding will achieve the objectives of subsection
10 (j)(3) of such Act;

11 (2) establish a minimum bid for any license or
12 construction permit to be granted by such bidding,
13 consistent with the objectives of-

14 (A) producing aggregate winning bids in
15 the dollar amounts specified in sections
16 3301(b)(4) and 3303(d) of this Act and section
17 309(j)(14)(C) of the Communications Act of
18 1934;

19 (B) recovering for the public the maximum
20 Value of the spectrum resource made available
21 for commercial use;

22 (C) avoiding unjust enrichment by licens-
23 ees or permittees; and

24 (D) preventing stockpiling or warehousing
25 of spectrum by licensees or permittees; and

1 (3) retain the authority to cancel the results of
2 the competitive bidding, if the Commission deter-
3 mines that the final bids are inconsistent with the
4 objectives of paragraph (2) of this section.